In the High Court of Punjab and Haryana at Chandigarh

C.W.P. No. 5842 of 2007
Date of Decision: 23.04.2007

Charanjit Singh

…Petitioner

Versus

Union of India and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. O.P. Kamboj, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

This petition filed under Article 226 of the Constitution prays for issuance of a writ in the nature of mandamus directing the respondents to refund the storage gain on wheat deducted for second and third year by the Food Corporation of India and respondent No. 6 and 8 on the stocks delivered after 1.4.1999 i.e. stocks of wheat crops for the years 1999-2000, 2000-2001, 2002-2003 and 2003-2004 stored at the Punjab Agro Food Grains Corporation Ltd. Centre at Ferozepur, Tehsil and District Ferozepur, which is calculated as 992.80.505 quintals with the approximate value of Rs. 903524.50 paise as per details given in chart Annexure P-19. Reliance in this regard has been placed on letters dated 6.7.2005 and 27.8.2005 (P-4 & P-5). It is also appropriate to notice that the petitioner has already

sent a legal notice dated 17.2.2007 (P-8) for refund of the amount of Rs. 9,03,524.50 paise approximately on account of excess given for the second and third year for crop years 1999-2000 to 2003-2005 along with interest @ 18% per annum.

Without going into the merits of the case, we deem it just and appropriate to direct the respondents to take cognizance of the legal notice, dated 17.2.2007 (P-5) sent by the petitioner and decide the same expeditiously preferably within two months from the date a certified copy of this order is presented to them. It shall be appreciated if a speaking order is passed.

Petition stands disposed of in the above terms.

(M.M. KUMAR)
JUDGE

(RAJESH BINDAL)
JUDGE

April 23, 2007
Pkapoor